

# Assessing the Possibility of a Pedophilia Panic and Contagion Effect Between France and the United States

Melanie-Angela Neuilly

School of Criminal Justice, Rutgers University, Newark, New Jersey, USA

Kristen Zgoba

New Jersey Department of Corrections, The Office of Policy and Planning, Trenton, New Jersey, USA 10

**Abstract:** In the early and mid-1990s, the United States experienced what could be called a societal sex crime crisis. This led to the passage of specific types of legislation aimed at addressing what was perceived by the public to be a major social problem. In the mid- and late-1990s, Europe (mainly Britain, Belgium, the Netherlands, France, and Germany) found itself in the same predicament as the United States. Legislation was passed, varying in its nature, in order to provide the public with an answer to its panic. According to a social constructionist approach, a moral panic occurs when certain types of behaviors or individuals are thought to be utterly harmful to the fabric of the social body. The present article aims at assessing whether there is a pedophilia/moral panic and whether it goes beyond the borders of one country. In order to identify potential contagion effects or parallel trends between France and the United States, the historical evolutions of legislation, reported incidence of child sexual abuse, and written media coverage of the events are triangulated into a multilevel analysis including the years 1990 thru 2005. Differences in intensity and in the dynamics are then established between the two sexual abuse moral panics. 15 20 25

**Keywords:** pedophilia, moral panic, comparative analysis, France, United States

An earlier version of this paper was presented at the Annual Meeting of the American Society of Criminology in Nashville, Tennessee, in November 2004, and a preliminary essay on this same topic was published in French in the July 2005 issue of *Champ Pénal/Pénal Field*. The authors wish to thank Michael Welch for his helpful comments.

Address correspondence to Melanie-Angela Neuilly, School of Criminal Justice, Rutgers University, 123 Washington Street, Newark, NJ 07102. E-mail: neuilly@andromeda.rutgers.edu

## INTRODUCTION: THE CONCEPT OF THE MORAL PANIC

According to the social constructionist approach, crime is defined by the collective identification of norms, deviance from them, and the ensuing emergence of social problems (Blumer, 1971; Hilgartner & Bosk, 1988). New crimes are identified as old crimes fade. Trials for heresy have fallen out of fashion while computer hacking has taken precedence. The social definition of crimes tells us in which society we are living, what our taboos are, and who are the present "witches." Furthermore, the notion of social construction puts the emphasis on the role of the media (Chermak & Weiss, 1997; Fishman, 1978; Potter & Kappeler, 1998; Surette, 1998). Institutions of control have always played a regulatory role. Currently it can be argued that these institutions are not religion, family, or the village community—they have been replaced by television, newspapers, radio, and the Internet. The diffusion of information has become a tool of social control, one of which the social science of criminology has become aware.

The notion of a moral panic was first introduced by Jock Young (1971) and is more widely attributed to Stanley Cohen (1972) in his examination of society's reaction to the Mods and Rockers of 1960s Britain. Moral panics have been described as a "condition, episode, person or group of persons, which emerge to become defined as a threat to societal values and interests" (Cohen, 1972, p. 9). These threats are designed in a sensationalized fashion by the media—as well as other agents of social control such as politicians, law enforcement, and religious leaders—with the intention of establishing meaningful parameters for acceptable societal behavior (Welch, 2000; Zgoba, 2004). The media-crafted threat of a moral decline perpetuates a collective outrage, which ultimately defines what society perceives as good versus bad.

Moral panics can occur as either contemporary social ills or more established marginalized behaviors that re-emerge as deviant (Zgoba, 2004). Nonetheless, society has experienced countless moral panics over time including freeway violence and road rage (Best, 1991, 1999; Glassner, 1999), satanic cult panics (Scott, 2001; Victor, 1994), cyberporn (Jenkins, 1998), school violence and predatory youth (Bennett, DiIulio, & Walters, 1996; Glassner, 1999), child abuse in day care centers (DeYoung, 1997), child abuse and serial murder rings (Bagley & Mallick, 1999; Jenkins, 1998), and "wilding" by dangerous teens (Welch, Price, & Yankey, 2002). While these societal intimidations have concerned a variety of phenomena, each has threatened the moral foundation of society (Furedi, 1994). The perceived significance of each moral panic consistently aligns with the propagated view of the agents of social control, namely policy makers and the media. Each fluctuation in moral panic foci has little, if anything, to do with increases in prevalence, but can almost solely be attributed to an increase in attention (Jenkins, 1998; Welch et al., 2002; Zgoba, 2004).



This article will be using social construction as a social crisis analytical tool (Best, 1989; Hatthaway & Atkinson, 2001; Sepctor & Kistsus, 1973) through the concept of moral panic. Examining pedophilia and sexual abuse as a moral panic can elicit outraged reactions; however, this examination does not imply that the acts of pedophiles are not serious crimes. The focus of such a social constructionist approach is to separate the objective aspects of the crime under scrutiny from the elements used to inflate the numbers and create hype favorable to stakeholders and interest groups leading to nonempirically based policymaking. It is the authors' objective to evaluate the existence of a pedophilia moral panic. The use of the term pedophilia as opposed to the broader term of child sexual abuse has to be understood within the context of moral panic. As a matter of fact, even though pedophilia and child sexual abuse are two distinct phenomena (the latter not necessarily involving the former and vice versa) moral panics (as described earlier) operate through scapegoating and stereotyping. The article will thus look at child sexual abuse as a proxy measure for pedophilia and use the term pedophilia in its social meaning as opposed to its true clinical meaning. In order to evaluate the existence of a pedophilia panic, the present article will adopt a multidimensional methodology. This research will first examine pedophilia as a social fact in France and in the United States. The historical evolution of the perception of pedophilia will be examined in both countries by way of the literature surrounding the topic, the types of legislation passed to address it, and the influence of high-profile cases. The frequency will then be tentatively triangulated through available data, and finally the prominence of the issue in the news media will be assessed through an analysis of newspaper coverage. This multifaceted approach aims at unraveling the contrast between the actual incidence of pedophilic acts and the attention brought to the acts by the news coverage and legislation.

## LEGAL HISTORY OF THE CRIME OF PEDOPHILIA IN FRANCE AND IN THE UNITED STATES

### France

When speaking of pedophilia, one can use the eighteenth century birth of the concept of childhood in Europe as well as the French Revolution as starting points. In *l'Emile* (Rousseau, 1762), childhood came to be designated as a developmental stage in the life of an individual. Prior to this, children were simply considered as miniature adults. In the meantime, before the Revolution, sex crimes were dealt with according to canon law, i.e., as transgressions to religious morals (Tyrode & Bourcet, 2001). Vigarello (1998), in his history of rape, identifies the French Revolution as a period of rejection of the *ancien régime*, allowing crimes such as rape to emerge. The *Declaration of the Rights*

of *Man*, because it maintains individuals have inalienable rights, leads to a transition in the definition of the crime of rape. It changes from the theft category (the theft of one's virtue and honor) to being a crime against the person. However, change takes time, and the more conservative Napoleonic code of 1810 is a necessary stage leading to the appearance of specific laws on sexual abuse or *attentats aux mœurs* (moral trespassing), with harsher punishment in case of crimes committed against minors (Donovan, 1994). 115

The development of forensic medicine also plays a major role because it allows for evidence identification. In 1857, Tardieu publishes his study of the sexual abuse of little girls, indicating the physical clues to sexual abuse of children. The notion of seduction by the victim is abandoned, and the term "assault" replaces the previous term of outrage or trespassing. Little by little, the idea of a moral or psychological violence is added to the limited physical violence, especially in child sexual abuse cases (Vigarello, 1998). In 1863, the age of legal sexual consent is raised from 11 to 12 years old, and 13 years old in case of incest (Donovan, 1994). 120 125

In the 1880s a scientific literature on child sexual abuse develops, and the term "paedophilia" was coined in 1896, by Krafft-Ebing in his *Psychopathia Sexualis*. However, the term only gains broad usage in France in the 1970s. The Roussel Law of July 24, 1889, finally breaks a major French social taboo by allowing state intervention within the private sphere of the family when responsibilities of adults toward the welfare of children are neglected (Ginnis Fuchs, 1982; Magnen & Martin-Blanchais, cited in Horassius & Mazet, 2004). 130 6

It is not until the 1990s that sexual crimes and child protection regain popularity with the legislation, starting with the law of July 10, 1989, concerning the prevention of child abuse and the protection of childhood, which increased the statute of limitation in time for sexual crimes committed on minors (Porchy, cited in Horassius & Mazet, 2004; Tyrode & Bourcet, 2001). 135 6

A similar movement can be pointed toward at the international level, with the adoption of the Convention for Children's Rights by the General Assembly of the United Nations on November 20, 1989, and the European Charter on Children's Rights of July 8, 1992 (European Parliament resolution #A3 - 0172/92) (Tyrode & Bourcet, 2001). 140

The main element of renewal in that direction was the 1994 remodeling of the Penal Code. In the *Nouveau Code Pénal* (New Penal Code, referred heretofore as CP or Penal Code), a new terminology is adopted, minimum sentences of punishment are harsher, and child rapists/killers receive differential treatment, with 30-year mandatory minimum sentences during which they are not eligible for parole (Fillieule & Montiel, 1997; Tournier, 1998). 145 150

In their book on pedophilia, Fillieule and Montiel (1997) emphasize the fact that there is no such thing as a crime of pedophilia according to French law, nor does a crime of incest exist. These crimes are those of sexual assault



(*aggression sexuelle*, defined as any sexual act committed with violence, strain, threat, or surprise, characteristics which differentiate between rape and other types of sexual acts) and sexual "trespass" (*atteinte sexuelle*, defined as a nonviolent but nonconsensual sexual act) (art. 222-22 and following, art. 227-25, CP). There exist three aggravating factors corresponding to acts of pedophilia and incest: committing the above cited crimes on minors below the age of 15, being the legal guardian of the individual while committing the offense, or occupying a position of authority over the victim (Fillieule & Montiel, 1997; Tournier, 1998). In France, 15 is the age before which it is illegal to have any kind of sexual activity whether with older or younger partners. Between 15 and 18 years old, it is illegal for an individual to have sexual relations with a legal guardian or anyone in a position of authority toward the minor (Hamon, 1999). Other crimes relating to sexual practices endangering children are found in the *Nouveau Code Pénal*. Those include the corruption of a minor (*corruption de mineur*), defined as the incitation from an adult for a minor to partake in sexual activities (art. 227-22, CP), or the filming, recording, selling, and broadcasting of child pornography (art. 227-23, CP).

The law #98-468 of June 17, 1998<sup>1</sup>, offers increased repression and prevention of child sexual abuse. It implements postrelease medico-social follow-ups somewhat similar to parole with mandatory psychological treatment. It also puts into place complementary sentences such as forbidden access to certain occupations or types of individuals. Finally, this law includes harsher sentencing minimums (Balland, 1998a, 1998b; Elguiz, 1998a, 1998b; Hamon, 1999; Porchy, cited in Horassius & Mazet, 2004). This law is in the continuation of the "real life sentences" (*perpétuité réelle*) law of February 1, 1994, which also increases the statute of limitation to 10 years after the victim of child sexual abuse has turned 18 years old (Porchy, cited in Horassius & Mazet, 2004).

The postrelease mandatory treatment element of the law covers a maximum of 10 years for the conviction of a medium grade sexual offense (*délit*) and 20 years in case of serious or violent sexual offenses (Ciavaldini & Balier, 2000). Offenses concerned with the medico-social follow-up and mandatory treatment are: murder or assassination preceded by or accompanied with rape, torture, or barbaric acts (art. 221-9-1, CP); rape and other sexual assaults, including exhibitionism but excluding sexual harassment (art.

<sup>1</sup>Laws in France can be found in two ways: following a thematic approach they can be found in the appropriate codes (Penal Code, Civil Code, Code of Penal Procedure, Code of Public Health, etc.), or following a temporal approach they can be found in the *Journal Officiel* (official journal, a periodic publication of the French government) in the order in which they came out, under a date or number. All these are now available online at <http://www.legifrance.gouv.fr>.

222-48-1, CP); nonviolent sexual trespasses committed on minors; corrup- 190  
tion of minors; distribution of images of minors of a pornographic nature;  
and finally distribution of pornographic messages potentially read by  
minors (art. 227.31, CP) (Ciavaldini & Balier, 2000).

The law of June 17, 1998, also commanded the creation of a DNA data-  
bank gathering genetic information on convicted sex offenders (Songoro, 195  
2003). Through two new laws (law #2003-239 of March 18, 2003, and law  
#2004-204 of March 9, 2004), the population covered by the DNA databank  
(*Fichier National Automatisé des Empreintes Génétiques*, or FNAEG) was  
enlarged to include a larger number of offenses beyond sex offenses, but also  
individuals about whom there is reasonable suspicion that they have commit- 200  
ted the offense (André, 2004; Songoro, 2003). The June 17, 1998, law was mod-  
ified in 2000, 2002, 2003, and 2004, thereby illustrating that the focus on child  
protection which marked the end of the twentieth century in France remains  
in existence.

Finally, as of June 30, 2005, a national registry of sex offenders (*Fichier* 205  
*Judiciaire National Automatisé des Auteurs d'Infractions Sexuelles*, or  
FIJAIS) was put into effect as an application of the law #2004-204 of March  
9, 2004. This law has to be seen as the latest of a series of legislative changes  
in an atmosphere of intense legal makeover taking place since 2000. Inclu-  
sion on the registry is mandatory for offenders convicted of a sex crime 210  
punished by a sentence of at least 5 years incarceration, and is left to the  
discretion of the judge for offenders convicted of a lesser sex crime or individ-  
uals being investigated or under judicial control. Inclusion on the registry  
can last for up to 30 years for the most serious criminals and mandate  
annual address updates. 215

## United States

The molestation and abduction of children has generated some of the  
highest levels of public fear and anxiety ever experienced in the United States  
(Finkelhor & Ormrod, 2000; Jenkins, 1998; Pratt, 2000; Scott, 2001). Because  
few other crimes evoke as much fear and outrage as crimes against children, 220  
the media continuously reports these stories—setting the stage for a wide-  
spread panic (Palermo & Farkas, 2001). The process of constructing a social  
problem or a moral panic begins with the recognition of an event, most notably  
those involving children (Jenkins, 1998). The media captures hold of the story  
and continuously escalates the sensationalized aspects, bringing the occur- 225  
rence from the extraordinary to the ordinary.

The public's elevated concern can be traced back as early as 1932 with the  
media frenzy surrounding the Lindbergh baby abduction and homicide  
(Finkelhor & Ormrod, 2000; McManus, 2002). However, since then the pub-  
lic's distress has transformed and escalated into fears over child molestation, 230



abduction, and homicide, as evidenced by the widely publicized cases of Adam Walsh, Polly Klaas, Megan Kanka, and Amber Hagerman (Finkelhor & Ormrod, 2000; McManus, 2002). The concern over child abduction and sexual molestation has, however, fluctuated throughout the twentieth century. For example, as recently as 20 years ago child sexual offenders were assumed to be confused individuals who had little propensity to re-offend (American Psychiatric Association (APA), 1999; Jenkins, 1998).

The earliest panic over child molestation in the United States was noted to occur in 1894, resulting in a wave of legislation geared toward increasing the age of sexual consent (APA, 1999; Jenkins, 1998). Concern over children varied in the interim, but was revitalized around the 1930s with the first wave of sexual psychopath legislation. Illinois enacted the first sexual psychopath law in 1938 (LaFond, 2005). This law allowed prosecutors to civilly commit offenders who had been charged or convicted of sex offenses to mental health facilities in lieu of prison (LaFond, 2005). As stated by Jenkins (1998, p. 16), "these statutes were never applied to a large number of offenders, suggesting that their main function was symbolic rather than practical." For the most part, these statutes fell out of favor by the late 1970s and early 1980s, and only a small number of states continued to abide by this legislation (APA, 1999). Professional groups, such as the Group for the Advancement of Psychiatry and the President's Commission on Mental Health, urged for the repeal of the laws.

During this time moral crusaders or agents of social control displayed a departure from the rehabilitative ideology to a more punitive ideology directed toward child molesters and pedophiles (APA, 1999; Jenkins, 1998; Welch et al., 2002). Moral panics over a variety of related topics came to pass, including the satanic murder of children (Jenkins, 1998; Scott, 2001; Victor, 1994) and child abuse in day care centers (deYoung, 1997). Furthermore, during this timeframe, the National Center for Missing and Exploited Children was established to increase public awareness concerning the safety of children; the National Child Search Assistance Act of 1990 was developed, mandating the immediate reporting of missing children (McManus, 2002). Collectively, these events suggest a constant fluctuation in the level of concern over crimes against children.

After a lapse of a few years, child protection issues again gained optimal importance during the late 1980s and early 1990s with the 1987 case of Earl Shriner raping and mutilating a six-year-old boy, the 1990 disappearance of Jacob Wetterling in Minnesota, the 1993 abduction and murder of Polly Klaas in California, and the sexual molestation and murder of Megan Kanka in 1994 in New Jersey (APA, 1999; Brooks, 1996; LaFond, 2005; Matson & Lieb, 1997; Rudin, 1996). Once again, the public witnessed a revival of the sexual psychopath legislation in the form of sexual predator laws and civil commitment statutes (SVPs) (APA, 1999; Jenkins, 1998; Lieb, Quinsey, & Berliner, 1998;

Palermo & Farkas, 2001; Schlank & Cohen, 1999; Winick & LaFond, 1998). Seemingly unaffected by constitutional challenges, the statutes continue to gain popularity and momentum as 17 states and Washington DC have adopted them (APA, 1999; LaFond, 2005; Lieb & Matson, 1998; Matson & Lieb, 1997; Palermo & Farkas, 2001; Schlank & Cohen, 1999; Winick & LaFond, 1998). Presently, the restrictions of global positioning systems (GPS) and pedophile-free zones are even more far reaching.

In addition to civil commitment statutes, the nation witnessed to the implementation of the more widely reaching Megan's Law statutes. The 1994 sexual molestation and death of seven-year-old Megan Kanka in Hamilton Township, New Jersey, produced an enormous amount of public outrage, to which New Jersey Governor Christine Todd-Whitman immediately responded. The death of Megan Kanka, which gained national and international prominence, could be considered the catalyst for the majority of sexual offender-specific legislation that both the State of New Jersey and the nation experience today. The New Jersey legislature bypassed hearings on other pending bills in order to respond to the situation created by the death of Megan Kanka (Brooks, 1996). Only two months later, New Jersey enacted the nine statutes commonly known as Megan's Law. This package of legislation included offender registration, community notification, civil commitment, discretionary use of the death penalty, discretionary life imprisonment, the development of a national sexual offender registry, lifetime supervision, DNA, fingerprinting, and the right to refuse good-time credits. Although New Jersey did not enact the first sexual offender registration statute (the Jacob Wetterling Act was first enacted and was later amended into Megan's Law) New Jersey's statute served as the national model by which other states developed their legislation (Brooks, 1996; Lafond, 2005; Matson & Lieb, 1997). In 1996, Republican presidential candidate Bob Dole proposed national legislation requiring that all 50 states implement notification and registration laws within two years or lose their federal funding. President Bill Clinton signed this legislation into federal law in 1996 and today all 50 states have some form of Megan's Law (see figure 1) (Brooks, 1996; Matson & Lieb, 1997; Rudin, 1996).

Most recently the United States has witnessed the crimes perpetrated against Dru Sjodin and Jessica Lunsford by previously convicted sexual offenders. Both offenses have resulted in the creation of legislation, the Dru Sjodin National Sex Offender Public Database Act of 2005 (or "Dru's Law") and the Jessica Lunsford Act. "Dru's Law" would establish a national sex offender database that links state information; the Justice Department activated it on July 20, 2005, and it currently links 23 states and Washington DC. The Jessica Lunsford Act would require longer prison sentences, life probation, and electronic monitoring.





(Choquet et al., 1997). This scenario provides for an increased understanding of the existing discrepancies in the availability and reliability of sexual offense data. Part of the moral panic argument developed in this article rests precisely on the fact that obtaining reliable numbers about the incidence of pedophilia is quite difficult and leaves room for social construction.

340

## French Literature

Donovan (1994) describes the fight against child sexual abuse led in France between 1825 and 1913. In 1825, France embarked upon one of the first methodical criminal justice statistics compilations. Based on the publication of court statistics, Donovan (1994) was able to identify a constant increase of the number of child sexual abuse cases prosecuted in France between 1825 and 1880. He even insists that after 1835, prosecuted cases concerning children outnumber cases concerning adult victims. Between 1830 and 1860, prosecutions for sexual crimes against adults are multiplied by two, whereas sexual crimes against underage victims are multiplied by six (Donovan, 1994). During the Third Republic, between 1871 and 1940, 32.21 percent of the felonies against persons were molestations of girls under the age of 15 (Martin, 1990).

As far as modern day epidemiology of child sexual abuse, Tournier (1998) and Lameyre (2000) both use a combination of sources in order to provide a comprehensive descriptive analysis of the pedophilia problem in France. Both authors note the overall augmentation of the number of sexual crimes reported to the police since the 1970s (see figure 2). According to Lameyre (2000), the total number of rapes reported to the police have been multiplied by

355

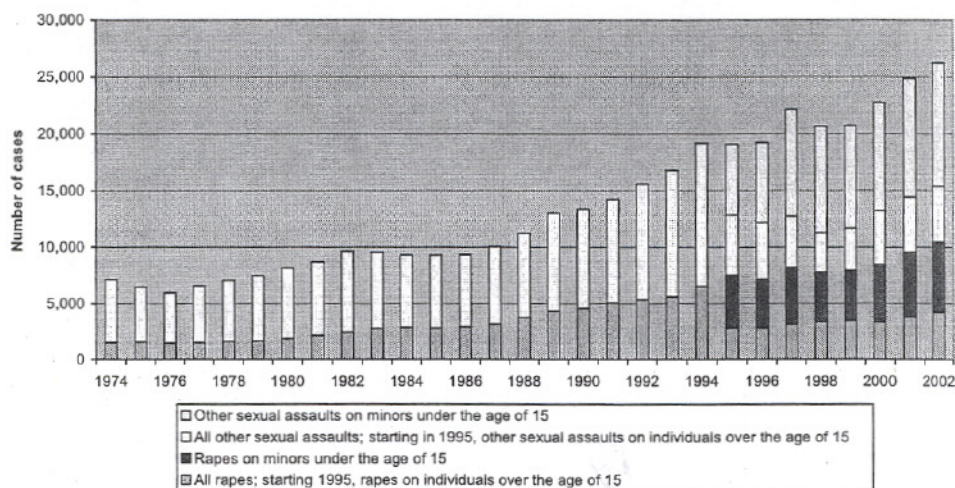


Figure 2: Overall trend in the number of sexual abuse cases reported to law enforcement agencies in France since 1974.



five since 1974, while the number of sexual assaults have doubled. The author then emphasizes the fact that the beginning of this trend temporally coincides with (first) the implementation of harsher sex laws in 1980, and then increases even more simultaneously with a second wave of legislation in 1989. This tendency does not correspond to a general criminal trend in France. Other types of crimes may have increased as well, but none have known such a dramatic development—except for drug crimes, which have known an even stronger increase.

Parallel to this, Tournier (1998) shows the slower but constant increase of the number of individuals arrested for sex crimes. He also points to the increase in case solvability as well as harshness of punishment, and to the low recidivism rate of sex offenders on children. More specifically, Lameyre (2000) notes that convictions for rape have close to doubled between 1984 and 1997, and now represent almost half of all convictions by a jury. For the same period, the number of convictions for rape of a minor under the age of 15 have been multiplied by eight, but only represent about a quarter of all rape convictions. Convictions on counts of sexual assaults on minors under the age of 15 have been multiplied by three, and they represent close to half of all convictions for sexual assault.

Porchy (cited in Horassius & Mazet, 2004) underscores that 30 percent of jury trials in France are centered around child sexual abuse. The National Hotline Service for Child Abuse (*Service National d'Accueil Téléphonique pour l'Enfance Maltraitée*, SNATEM, 2002) evaluates incest cases as representing 20 percent of jury trials.

Concerning sentencing issues, Lameyre (2000) puts the emphasis on the fact that sentencing for sex crimes involves prison time in an overwhelming majority of cases (88 percent of sexual assault convictions, and 93 percent of rape convictions). The length of prison time has also increased between 1984 and 1997, notably by 60 percent for rapes. European data (*Recueil Européen de Statistiques sur la Criminalité et la Justice Pénale*) place France among the most repressive European states as far as rape sentencing is concerned (95 percent of prosecuted cases get sentenced to prison time), but it also is among the highest as far as rape rates are concerned (8 per 100,000 in 1998) (Lameyre, 2000). While France is not the only European country witnessing such an increase in sex crimes, it maintains the highest number of sex crimes reported to the police. Finally, the countries with the highest sex crimes reported correspond to countries where high-profile cases have created media scandals centered around child sexual abuse. These countries include France, Belgium, Luxembourg, the Netherlands, and the United Kingdom.

Using data from the National Observatory of Decentralized Social Action (*Observatoire National de l'Action Sociale Décentralisée*, ODAS) and the SNATEM, Ciavaldini and Choquet (cited in Horassius & Mazet, 2004) conclude that child sexual abuse represents a third of abuse situations,

whereas they only represented slightly more than one fourth (27.5 percent) in 1999. Since that time, sexual abuse is the only child abuse category growing. Hotline calls for sexual abuse were diminishing—from 30 percent of all calls in 1997 to 17 percent in 1999—but have then started to go up again, with an increase to 20.1 percent in 2001. 405

When it comes to victimization data, Bouhet, Pérard, and Zorman (1992) cite three surveys conducted in France on the topic of child sexual abuse. One was conducted in 1989 on a representative sample of individuals aged 18 to 59 in the Rhône-Alpes region of France ( $N = 1,511$ ) (*Institut BVA, 410* *Projet Régional d'Observation des Maladies Sexuellement Transmissibles*), while the other two targeted freshman and sophomore populations in colleges in Paris and surrounding areas ( $N = 1,000$ ) (1988, *Institut Français d'Etudes et d'Analyses*, for the *Centre de Recherche sur l'Enfance et l'Adolescence*) as well as Grenoble ( $N = 720$ ) (1989, *Centre Inter-Universitaire de 415* *Médecine Préventive de Grenoble* and CIDSP). All three surveys produced 21 concurring results. Results indicate that from 6 to 9 percent of the interviewed populations and from 8 to 11 percent of women admitted a history of child sexual abuse.

The literature concerning child sexual abuse in France tends to under- 420 score two notions—the overall increase of official numbers over time and the underreporting of those some official numbers. 22

## American Literature

Despite the publicity warnings over rampant sexual molestations and abuse, such crimes have been decreasing in recent years (Center for Sex 425 Offender Management [CSOM] 2000; Jones & Finkelhor, 2001). First, the arrest rate for sexual offenses dropped by 16 percent between the years 1993 and 1998 (CSOM, 2000). More specifically, child molestation cases have reportedly decreased between 25 and 30 percent for the years 1992–98 (Jones & Finkelhor, 2001). A national estimate provided by Jones and Finkelhor (2001) 430 reports 103,600 cases of substantiated child sexual abuse for the year 1998, a 31 percent decrease from the 149,800 cases in 1992. Focusing on the trend evidenced by Jones and Finkelhor (2001), this decline did not display a regional pattern, with a decrease of substantiated cases in 36 of the 47 states that provided complete data. In addition, the number of reported yet unsubstantiated 435 cases of child sexual abuse decreased from an estimated 429,000 cases in 1991 to 315,400 cases in 1998, a decrease of 26 percent (Jones & Finkelhor, 2001). Furthermore, despite the increasing rates of child maltreatment during the 1980s and 1990s, the rate of child sexual abuse has continued to decrease. The majority of information-providing states report a decline in child sexual abuse 440 unparalleled to any other type of child maltreatment, illustrating a climate cultivated by fear (Jones & Finkelhor, 2001). This decline in both substantiated



and unsubstantiated cases of child sexual abuse is widely divergent from the 10 percent increase in child sexual abuse caseloads that social workers reported during the 1980s (Jones & Finkelhor, 2001).

When it comes to victimization estimates in meta-analyses, Gorey and Leslie (1997) posit the prevalence of child sexual abuse from 12 to 17 percent in girls and 5 to 8 percent in boys. In a much more generous estimation, Bolen and Scannapieco (1999) obtain 30 to 40 percent for girls and 3 to 13 percent for boys, whereas Finkelhor (1994) estimates rates of 7 to 36 percent for girls and 3 to 29 percent for boys at the international level. The range of estimated self-reported child sexual abuse varies widely at the international level, and this is partly illustrated by the differences noted between estimates reported in the French literature and those reported in the American literature.

As opposed to what has been previously evidenced through the French literature on the propensity of child sexual abuse, it appears that the American literature underscores a significant decrease of child sexual abuse reports. In the meantime, and following an inverse trend, victimization estimates in the United States are set much higher than those in France.

## COMPARING THE REPORTED INCIDENCE OF SEXUALLY MOLESTED CHILDREN IN FRANCE AND IN THE UNITED STATES

Following a presentation of the literature on the prevalence of child sexual abuse in both countries, the authors will attempt to triangulate what data are available to them. French sources are child welfare services surveys, police and gendarmerie reports, and conviction rates. Sources of data in the United States were more difficult to come by, despite the widespread online availability of crime data. The authors thus used child welfare services data as derived from Finkelhor and Jones (2004), as well as a few years of available NIBRS data.

The choice of the period 1995–2003 was guided by elements of data availability as well as data sources. Rates were calculated for comparison purposes using French census data from the National Institute of Statistics and Economics Studies (*Institut National de la Statistique et des Etudes Economiques*, INSEE) and American census data from the Census Bureau. Rates calculated using NIBRS data were compiled based on 14 percent of the population in 2000, 15.5 percent in 2001, and 17 percent in 2002, thus following estimates of national coverage of the NIBRS system in the literature (Finkelhor & Ormrod, 2004, reported a 14 percent coverage in 2000; and SEARCH, 2005, reported a 20 percent coverage in 2004).

Child sexual abuse cases French child welfare services are notified of come from annual surveys of child welfare services conducted by the ODAS (2001). Response rates are usually around 95 percent (ODAS, 2003). Cases covered by the survey do not include cases reported directly either to the police or to

prosecutors' offices. Cases taken into consideration by child welfare services in France include all minors under the age of 18.

There are two major sources of crime statistics in France. The first one is the *Ministère de l'Intérieur* (State Department), which gathers information on offenses known and indicted individuals from the police (as well as the gendarmerie) through the *Direction Générale de la Police* (National Police Headquarters). The second source of crime statistics is the *Ministère de la Justice* (Department of Justice), which gathers statistics from tribunals and correctional institutions on convictions and incarcerated individuals. Both departments publish a yearly report (*Ministère de l'Intérieur*, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003; *Ministère de la Justice*, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002). As expected, all of these data come with their share of limitations, which are quite similar to limitations found in U.S. data.

For purposes of the present study, the data utilized are categorized under two types of charges: rapes of minors under the age of 15, and all other sexual assaults of minors under the age of 15. The age criterion for the victim of sexual crimes has been taken into consideration in the compilation of the yearly statistics reports since 1995 only (Lameyre, 2000).

Concerning conviction data, the data utilized are categorized under two types of charges: rapes of minors under the age of 15, and all other sexual assaults of minors under the age of 15. Data from the Ministry of Justice were only available up to 2002 with the age specification for the victim.

As highlighted by Lameyre (2000), general trends in the reporting of sexual abuse during the past 30 years have shown a major increase (see figure 2).

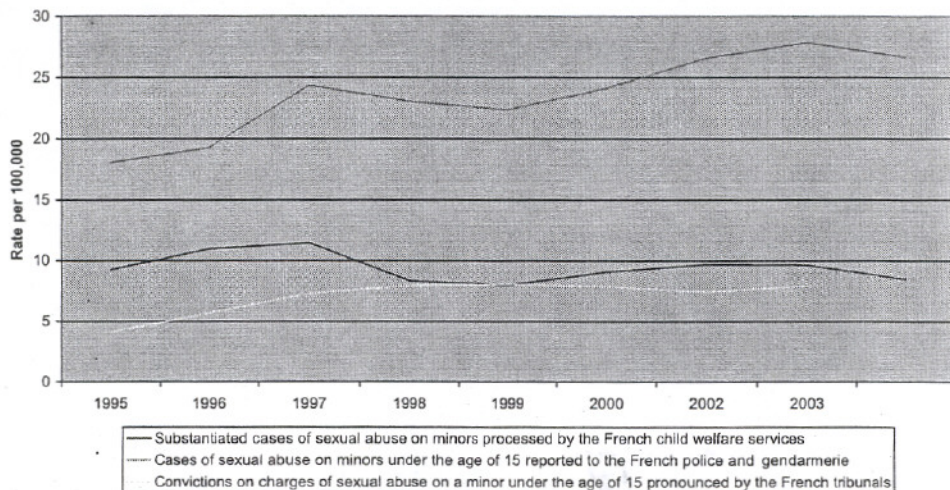


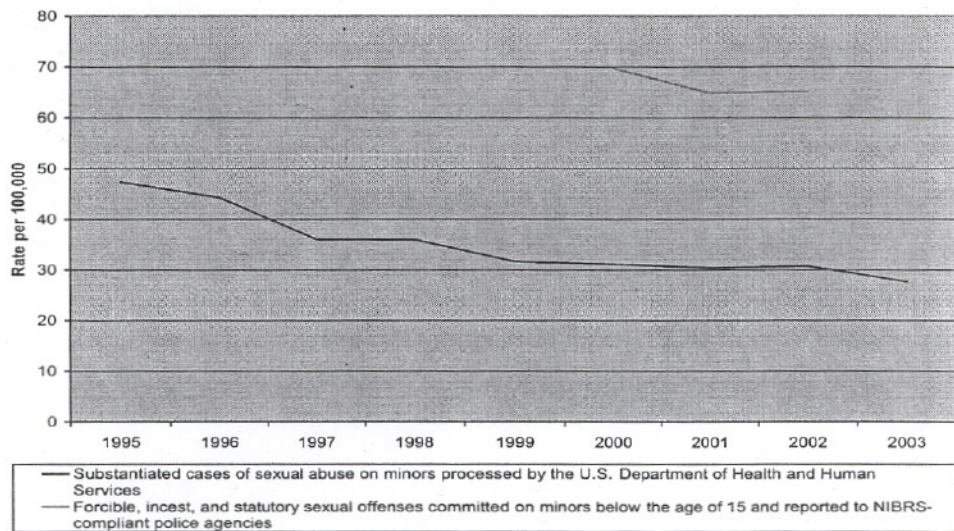
Figure 3: Sexual abuse on minors in France (according to child welfare services, law enforcement agencies, and tribunals) between 1995 and 2003.



Since sexual assaults and rapes on minors under the age of 15 started being identified separately from the rest in 1995, it is possible to evaluate the proportion of reporting concerning minor victims versus victims over the age of 15. This disaggregation shows that both rapes and other sexual assault reports of cases involving minor victims are consistently more numerous than cases concerning adult victims. This can be compared to the situation described by Donovan (1994) during the second half of the nineteenth century, when a steep increase in prosecution for sexual assaults implied higher numbers of child sexual assault cases than cases involving adult victims.

A more focused look on child sexual abuse within roughly the past decade comparing sources of information on the topic (see figure 3) shows a somewhat contradictory picture. The number of cases reported to law enforcement agencies shows a similar pattern as previously described, but when compared to cases processed by child welfare services or conviction rates a wide discrepancy emerges. The two latter sources display much lower rates than do the police data. Child welfare services' rates of processed cases are relatively stable, with a drop in 1998 to 8.33 from 11.44 per 100,000 in 1997, and then a slow increase to 9.69 per 100,000 in 2001, and then a slight decrease again. Conviction rates have shown a slow but constant increase from 4.07 per 100,000 in 1995 to 7.92 per 100,000 in 2002. These numbers can be interpreted as indicating that even though all occurrences of pedophilia are not necessarily reported to the police due to the high sensitivity of this type of crime, something has happened in France where many of the cases reported to the police never lead to convictions. It is, however, interesting to notice that child welfare statistics on substantiated cases of child sexual abuse correspond to the conviction rate for child sexual abuse crimes. This could mean that reporting to the police is a symptom of the public's moral panic and what has probably become a higher sensitivity to child sexual abuse.

Comparing these rates with the rates obtained with American data, a wide gap appears. For this section of the research, the authors faced a relative lack of accessible data as opposed to the relative richness of French data. Data used were therefore adapted from Finkelhor and Jones (2004), as found on the Web site of the U.S. Department of Health and Human Services for the years 1995–2003. These statistics are substantiated cases of sexual abuse on minors reported, investigated, and processed by child welfare services. The National Incident-Based Reporting System data were obtained via online analysis available at the National Archive of Criminal Justice Data. Offense and victim's age variables were cross-tabulated using the victim's segments for the years 2000 to 2002. Unfortunately, the very short time span for which those data are available makes any complete triangulation of the American data difficult. It was, however, the authors' desire to make a substantial effort, which thus led to the inclusion of the short series. The offense codes selected consisted of forcible rape, forcible sodomy, sexual assault with an object, forcible



**Figure 4:** Sexual abuse on minors in the United States (according to child welfare services and law enforcement agencies) between 1995 and 2003.

fondling, incest, and statutory rape; the tabulations were calculated for victims age 0 to 15. The inclusion of statutory rape was decided upon the fact that the cross-tabulation revealed the existence of very young victims of that crime (from 0 to 10 years old), raising the possibility that those might be hidden cases of pedophilia.

Reiterating Jones and Finkelhor's (2001) findings, the trend exhibited in figure 4 indicates a clear decline. It is nevertheless the comparison with the French numbers of figure 3 that provides the most striking contrast. Rates of child sexual abuse cases processed by child welfare services in the United States are between three and five times higher than those of child welfare services in France. Even when comparing the much bigger rates of police reporting in France with those of child welfare services in the United States, a difference of about ten points remains in favor of the U.S. numbers. And when compared with their NIBRS equivalent, child sexual abuse reported to the police in France does not even reach half of what those rates are in the United States. Accordingly, even with a limitation of data availability, it appears to be fairly clear that the United States child sexual abuse statistics far exceed those of France.

## EVALUATING THE POSSIBILITY OF A MORAL PANIC

In order to complete the triangulated approach to evaluating whether a moral panic exists, a newspaper search was completed which aimed at assessing the extent of the media coverage and its role in the pedophilia panic. A variety of



searches were conducted using numerous sources and search terms. After weighing options, the present study was streamlined to involve two specific newspapers and one search term. The two newspapers identified in the search were the French daily newspaper *Le Monde* and the American daily newspaper the *New York Times*. The rationale behind the selection was one of similar political orientation and target population. Both are considered liberal but still moderate newspapers, appealing to a rather educated, non-thrill seeking population. The results of a search within those two media outlets would then identify the lowest limit of the media panic range, and thus could be considered a conservative estimate. The search term was selected after several trials and it was decided that the word *pedophile* in either the article title; abstract, or any combination thereof would be the key term. Finally, the search was run for a longer period than that of the data search (1990–2005 instead of 1995–2003) in order to allow for a better grasp of possible trends and to address some reviewers' concerns. Two dimensions were taken into consideration—the number of articles per year and the cumulative number of words contained in those articles per year.

Much to the contrary of what has been discussed in prior pages, the number of articles—as well as the cumulative number of words in those articles—found in the *New York Times* are overall lower than those in *Le Monde*. Even though it appears that American child welfare services display much higher rates of child sexual abuse than their French counterparts, the trend appearing

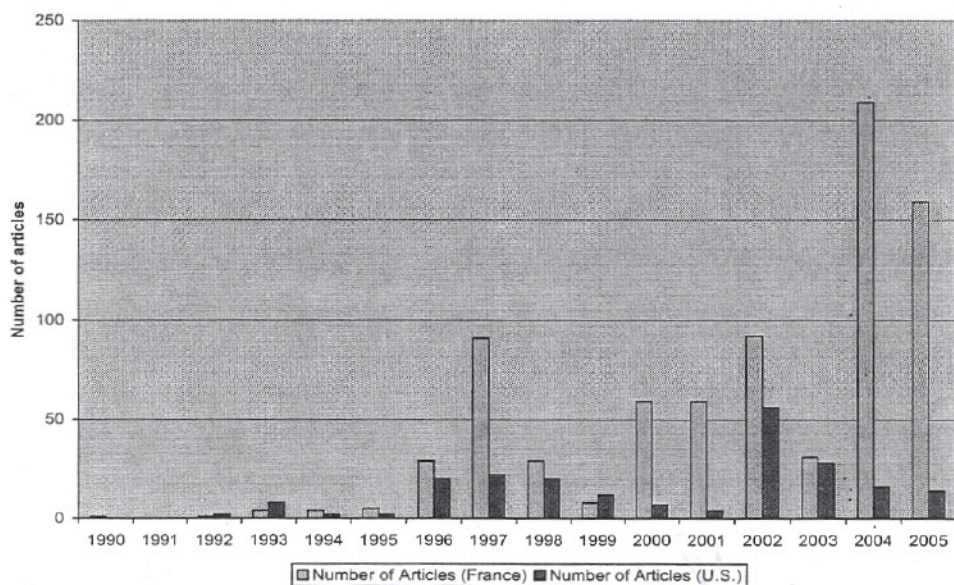
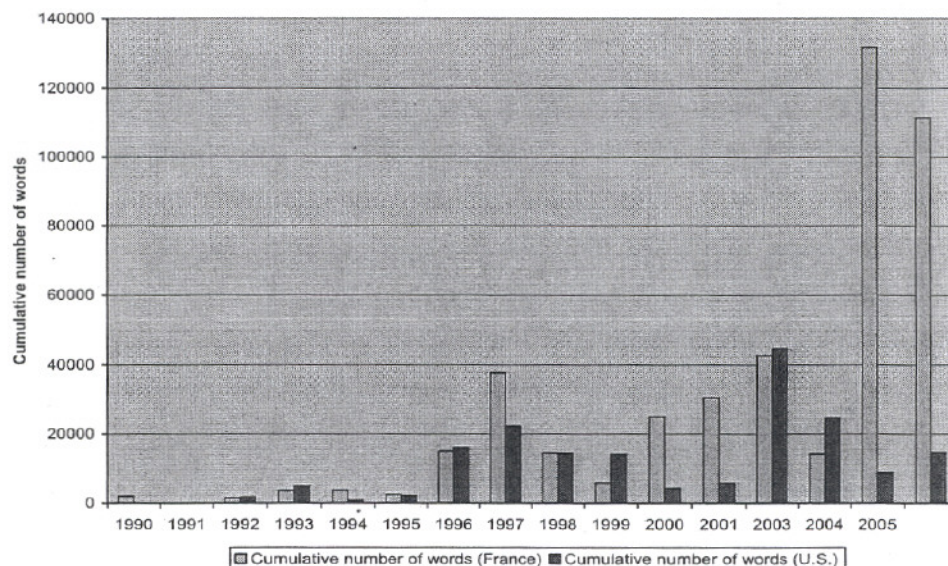


Figure 5: Number of articles published in *Le Monde* and the *New York Times* each year between 1990 and 2005 with the word *pedophile* in the title or abstract.



31

**Figure 6:** Cumulative number of words per year in articles published in *Le Monde* and the *New York Times* between 1990 and 2005 with the word *pedophile* in the title or abstract.

in the media search contradicts these facts. What, however, corroborates trends described earlier is the overall increase in the number of articles as well as the length of these articles over time in both countries. It is remarkable that up until 1995, neither country seemed to publish much on issues of pedophilia in the papers. There were no articles published in either source with the search term in 1991. One peak is visible in both countries in 2002. The news coverage does not totally overlap, though. *Le Monde* includes coverage of the U.S. Catholic church pedophilia scandal, but also coverage of two other high-profile cases (the Outreau and the Angers cases) which create huge peaks in 2004 and 2005, as well as the ongoing Dutroux case; the U.S. coverage centers only on the Catholic church pedophilia scandal.

The first newspaper coverage peak happens in France in 1997. It could potentially be interpreted as fallout following the unveiling of the Dutroux case in 1996. As a matter of fact, all throughout 1996 Belgium was shaken by the unraveling of the Dutroux affair, in which a recidivist pedophile was found to have abused, killed, and then buried children in his backyard. *Le Monde's* reporting witnesses the deep impact the affair had in Belgium (with the organization of multiple "white walks," or silent demonstrations in memory of the victims, and the multiplication of allegations of pedophilic acts), but also its impact in France. After 1996, the number of articles on the topic of pedophilia in France peaks in 1997; plunges somewhat again in 1998 and 1999; peaks anew in 2000, 2001, and reaches a high point in 2002; plunges back in 2003; and finally moves to unprecedented heights in 2004 and 2005. The overall



themes covered remain the same—a combination of topics-related issues such as essays and debates on policies and attitudes, but mostly reporting of cases. All cases seem to find representation in *Le Monde* when it comes to pedophilia cases, whether they are only covered by one article or keep on reappearing for years (like the Dutroux case). It is after the first emergence of this case that the possibility of a medico-social follow-up for child sexual offenders was first discussed. Newspaper coverage of pedophilia issues in 1997 are marked by the appearance of a multitude of isolated cases related in various length in *Le Monde*—the general ambiance of 1997 being designated “Childhood Protection Year.” Over the years, one particularity of the French coverage of pedophilia issues is its international nature, not only concerning bordering European countries such as the United Kingdom, Belgium, or the Netherlands (mostly but not exhaustively); but also the United States and even South American or Asian countries. For the latter, an emphasis is found on the subtopic of sex tourism and the beginnings of its repression in France. Finally, issues of cyberpedophilia also seem to be of great concern to the French news media.

Emerging in *Le Monde* in 2001, the “Outreau affair” could have very well been the antidote to the pedophilia moral panic in France, had it not shortly preceded another high-profile case and created a legal hurricane in its aftermath. At the core of the Outreau affair were a series of false accusations made by influenced children toward innocent adults, who ended up traumatized and stigmatized. Because of a series of faults in the prosecution and instruction of the case, the affair was followed through to trial, with all the subsequent monetary and social costs. Despite its potential, the Outreau affair was not to mark the end of the pedophilia moral panic in France. As the scandal was unraveling, another high-profile case was emerging in Angers. The case involved social services personnel and so many victims and suspects that a new courthouse had to be built in order to accommodate what was to be the biggest pedophilia trial in France (Boucault, 2002). This led the French pedophilia moral panic to a whole new dimension: real estate. In this scandal, social workers were accused of turning a blind eye to organized pedophile rings. The jury in the case had to deliberate on 1,972 counts of pedophilic acts and other indicted crimes involving 66 suspects, 45 victims, and a four-month-long trial.

Despite the numerous publications citing a decrease in sexual abuse of both children and adults, American media broadcasts persistently report an “epidemic” of child abductions, molestations, and homicides (Bagley & Mallick, 1999; Cohen, 1972; deYoung, 1998; Edwards & Lohman, 1994; Fox, 2002; Goode & Ben-Yehuda, 1994; Jenkins, 1998; Jewkes, 1999; Jones & Finkelhor, 2001; Scott, 2001; Welch et al., 2002). According to Jenkins (1998, p. 7), “it comes to be believed that legions of sex fiends and homicidal predators stalk the land, that the number of active pedophiles runs into the millions, that tens of thousands of children are abducted and killed each year,

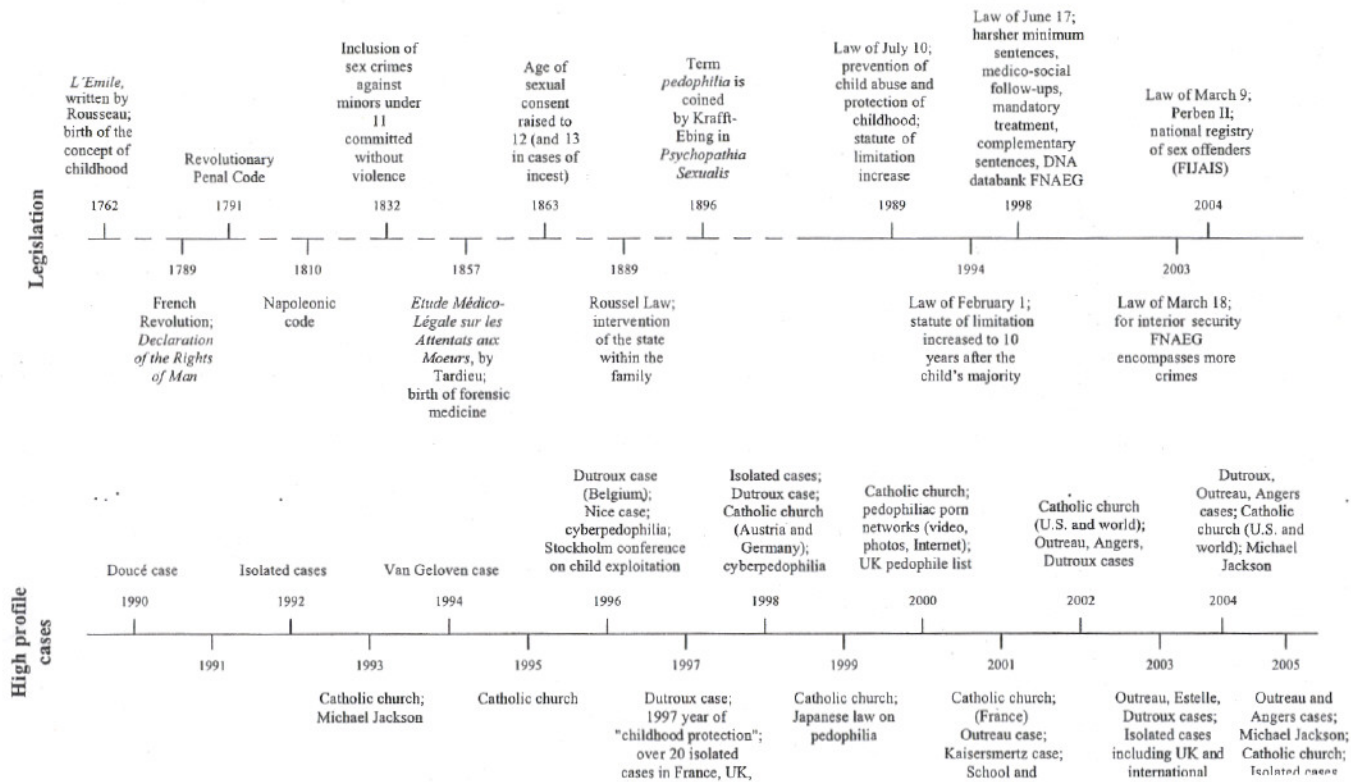
that sinister cults have infiltrated preschools and kindergartens across the country, that incest affects one-fourth or even one-half of all young girls, that child pornography is an industry raking in billions of dollars and preying on hundreds of thousands of American youngsters each year." Countless articles and television programs continuously present the public with sensationalized reports circulating these beliefs. For instance, within a two-year timeframe from 1989 to 1991, six movies were released depicting the violence of abduction and sexual molestation (Jenkins, 1998). Furthermore, despite the exceptionally infrequent occurrence of stranger abductions, commonly referred to as "stranger danger," the high level of media reporting during the 1980s did not align with the true frequency of abductions (Fox, 2002; Jenkins, 1998).

The dramatic shift in the terminology used to describe offenders offers an additional indication of the heightened concern over child predation. Child sexual offenders have most often been described as "predators" or "fiends," with the specific intention of metaphorically describing offenders as predatory animals aggressively seeking out innocent prey (Jenkins, 1998; Palermo & Farkas, 2001). While the term "predator" has no legal or psychological basis, American legislation bearing this terminology has recently been enacted and its usage has increased dramatically (APA, 1999; Jenkins, 1998; Lieb & Matson, 1998; Schlank, 2001; Schlank & Cohen, 1999). According to Jenkins (1998), the expression "sexual predator" did not appear in print in 1985 or 1986, but slowly started appearing between 1987 and 1989. The expression averaged 140 appearances a year between 1990 and 1992, and climbed to 321 appearances in 1993 (Jenkins, 1998, p. 194). Usage of the terminology then skyrocketed, increasing from 865 references during the year 1994 to 924 references in 1995 (Jenkins, 1998, p. 194). Having increased by approximately 900 percent in ten years, the extensive use renders the association between the terms commonplace. Additionally, the extensive use of the expression "predator" is consistent with the timeframe surrounding the molestation and death of Megan Kanka, which is believed to be one of the primary catalysts of the current moral panic.

## CONCLUSION

The temporal coincidence between a decrease in child sexual abuse cases substantiated by child welfare services in the United States and an increase in pedophilia coverage in the *New York Times*, as well as the constant intensification of child sexual abuse repression laws, tends to indicate the existence of a moral panic centered on pedophilia in this country. The situation in France does not seem as clear-cut, as the trends in official numbers do not exactly follow the same direction. One could argue that the constant increase and much higher rate of reporting to the police, as opposed to the more stable and much lower rates of child abuse cases substantiated by child welfare services





32

33

32

32

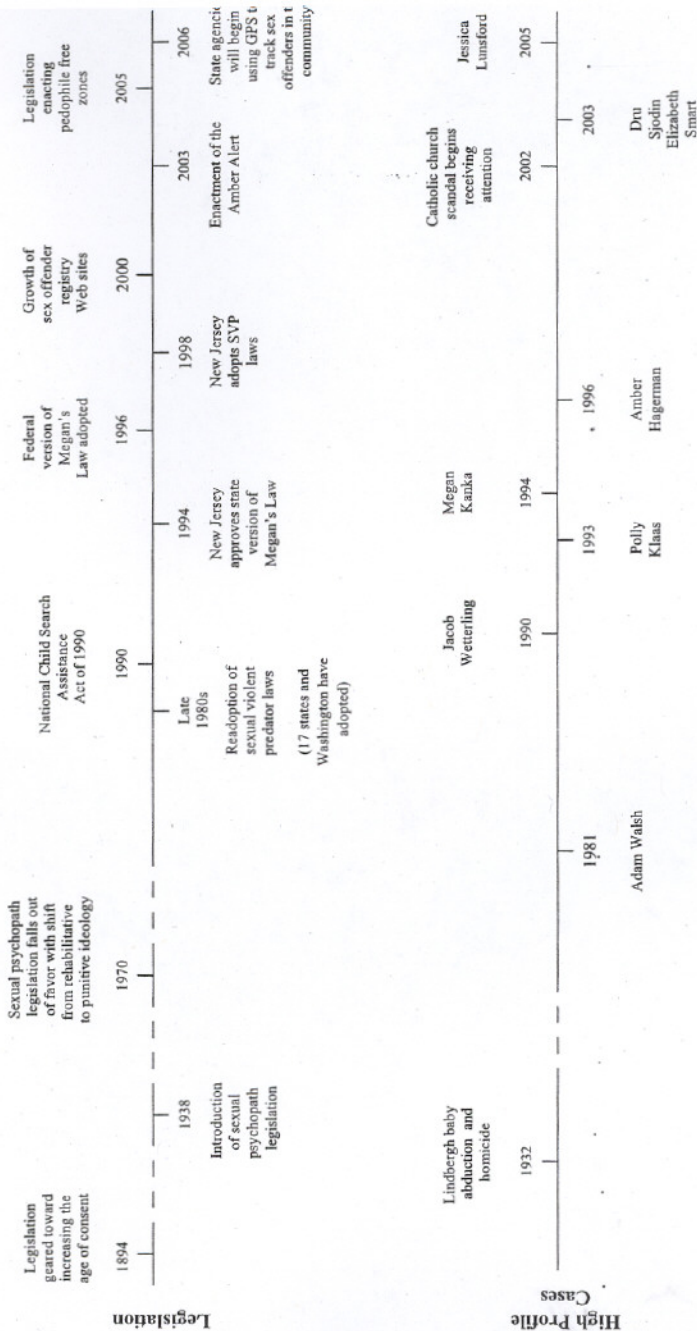


Figure 8: Comparative timeline between United States legislation and high-profile cases.



and convictions by tribunals, is to be seen as the public's reaction to the state of constant sensitization to the issue carried on by media coverage. Indeed, despite rates much lower than in the United States, since the mid-1990s *Le Monde* has almost constantly outnumbered the *New York Times* in both number of articles and number of words per year devoted to the topic of pedophilia. 705

Once put in historical and comparative perspective, this could be interpreted as indicating a strong tendency toward a pedophilia moral panic in France. This moral panic then directly translates into individuals' attitudes and their willingness to potentially over-report, a tendency which was exemplified by the Outreau affair discussed earlier. Furthermore, this should be emphasized 710

by the fact that not only are numbers of articles and words devoted to the topic higher in *Le Monde* than in the *New York Times*, but the rates of child sexual abuse underlined in figure 5 are much lower than those found in the United States. Therefore, the research underscored more newspaper coverage and less reported incidence of child sexual abuse in France than in the United 715

States. If moral panics were to be ranked, France would outrank the United States, but the question as to where this tendency stems from remains unanswered and warrants future research.

As demonstrated throughout the course of this article, the primary catalyst toward these pedophilia panics in France and the United States has not 720

been the increased frequency of child molestation; rather, sensationalized media reports and political crusading are responsible for the moral panic that has fixated both societies. Despite the infrequent occurrence of these offenses, "they generate an enormous amount of media attention and ignite fear, passion, and outrage of various individuals and groups in the community" (Palermo & Farkas, 2001). The personalized nature of the death and molestation 725

of these sensationalized cases becomes real to the public, rather than a horrible and infrequent event (Palermo & Farkas, 2001). This perceived threat of child molestation plays an important role in the generation of legislation. The resulting panic (or "feel-good") legislation is most often a knee-jerk reaction 730

developed by the legislature to resolve the publicly perceived "emergency situation." More often than not, these types of laws are crafted amid a state of panic and lack the calm deliberation that effective legislation exhibits (Fox, 2002). While in theory, the various types of legislation are attempts to keep children safe, the practical obstacles to each may outweigh their efficacy 735

(Brooks, 1996; Rudin, 1996). Plagued by issues of misdirection of attention and vigilantism, the enactment of legislation begs the question of whether its initial implementation was necessary. As is the case with any moral panic, the concern and panic over child molestation will continue to fluctuate. As cycles ebb and flow, many phenomena that are considered benign now may be a rea- 740

son for concern in the future (Jenkins, 1998; Palermo & Farkas, 2001; Zgoba, 2004). New panics will be cultivated as the media circulates new fears and politicians continue to enact conciliatory legislation. According to Jenkins

(1994, p. 3), "another category rises or falls according to an intermittent cycle that shapes public fears over, say, drugs, juvenile delinquency, or immoral music." As latent fears erupt, one can clearly see the new moral panics on the horizon—concern over clergy sexual abuse and computerized, virtual sexual offenders will take the place of today's child molesters and abductors (Bagley & Mallick, 1999; Jenkins, 1998; Palermo & Farkas, 2001; Zgoba, 2004).

## REFERENCES

- Procès d'Outreau: Les deux principales accusatrices se rétractent. (2004, May 19). *Le Monde*. 35 36
- American Psychiatric Association (APA). (1999). *Dangerous sexual offenders: A task force report of the American Psychiatric Association*. Washington DC: Author.
- André, S. (2004). La loi perben II: Les dispositions concernant la lutte contre la délinquance sexuelle et la protection des mineurs (loi n° 2004-204 du 9 mars 2004 et décision du conseil constitutionnel n° 2004-292 DC du 2 mars 2004). *Actualité Sociales Hebdomadaires*, 2352, 23-30. 755
- Bagley, C., & Mallick, K. (Eds.). (1999). *Child sexual abuse and adult offenders: New theory and research*. Aldershot, UK: Ashgate Publishing. 760
- Balland, V. (1998a). Prévention, répression des infractions sexuelles et protection des mineurs. Deuxième partie: La protection des mineurs victimes. *Actualité Sociales Hebdomadaire*, 2081, 17-22.
- Balland, V. (1998b). Prévention, répression des infractions sexuelles et protection des mineurs. Deuxième partie: La protection des mineurs victimes (suite). *Actualité Sociales Hebdomadaire*, 2082, 17-22. 765
- Beck, A., & Mumola, C. (1999). *Prisoners in 1998* (Bureau of Justice Statistics Bulletin, U.S. Department of Justice, NCJ, 175687). Washington DC. 37 35
- Bennett, W. J., DiIulio, J. J., & Walters, J. P. (1996). *Body count: Moral poverty . . . and how to win America's war against crime and drugs*. New York: Simon & Schuster. 770
- Best, J. (Ed.). (1989). *Images of issues: Typifying contemporary social problems*. Hawthorne, NY: Aldine de Gruyter.
- Best, J. (1991). "Road warriors" on "hair trigger highways": Cultural resources and the media's construction of the 1987 freeway shootings problem. *Sociological Inquiry*, 61(3), 327-345. 775
- Best, J. (1999). *Random violence: How we talk about new crimes and new victims*. Berkeley: University of California Press.
- Best, J. (2001a). *Damned lies and statistics: Untangling numbers from the media, politicians, and activists*. Berkeley: University of California Press. 35
- Best, J. (2001b). *How claims spread: Cross-national diffusion of social problems*. Hawthorne, NY: Aldine de Gruyter. 38 35
- Blumer, H. (1971). Social problems as collective behavior. *Social Problems*, 18, 298-306.
- Bolen, R. M., & Scannapieco, M. (1999). Prevalence of child sexual abuse: A corrective meta-analysis. *Social Service Review*, 73(3), 281-313. 785
- Boucault, V. (2002, March 9). Un réseau pédophile démantelé à Angers. *Le Monde*.



- Bouhet, B., Pérard, D., & Zorman, M. (1992). De l'importance des abus sexuels en France. In M. Gabel (Ed.), *Les enfants victimes d'abus sexuels*. Paris: Presses Universitaires de France. 39
- Brooks, A. D. (1996). Megan's Law: Constitutionality and policy. *Criminal Justice Ethics*, 15(1), 56-66. 790
- Center for Sex Offender Management (CSOM). (2000). *Myths and facts about sex offenders*. Washington DC: U.S. Department of Justice.
- Center for Sex Offender Management (CSOM). (2001). *Recidivism of sex offenders*. Washington DC: U.S. Department of Justice. 795 42
- Chermak, S. M., & Weiss, A. (1997). The effects of the media on federal criminal justice policy. *Criminal Justice Policy Review*, 8(4), 323-341.
- Choquet, M., Darves-Bornó, J., Ledoux, S., Manfredi, R., & Hassler, C. (1997). Self-reported health and behavioral problems among adolescent victims of rape in France: Results of a cross-sectional survey. *Child Abuse and Neglect*, 21(9), 823-832. 800 40
- Ciavaldini, A., & Balier, C. (Eds.). (2000). *Agressions sexuelles: Pathologies, suivis thérapeutiques et cadre judiciaire*. Paris: Masson.
- Cohen, S. (1972). *Folk devils and moral panics: The creation of the Mods and Rockers*. New York: St. Martin's Press.
- deYoung, M. (1998). Another look at moral panics: The case of satanic day care centers. *Deviant Behavior*, 19(3), 257-278. 805
- Donovan, J. M. (1994). Combating the sexual abuse of children in France, 1825-1913. *Criminal Justice History, An International Annual*, 15, 59-93.
- Durose, M., & Langan, P. (2003). *Felony sentences in state courts, 2000* (Bureau of Justice Statistics Bullerin, U.S. Department of Justice, NCJ, 198821). Washington DC. 42 41
- Elguiz, F. (1998a). Prévention, répression des infractions sexuelles et protection des mineurs. Première partie: Le suivi socio-judiciaire. *Actualité Sociales Hebdomadaire*, 2077, 17-21. 42 41
- Elguiz, F. (1998b). Prévention, répression des infractions sexuelles et protection des mineurs. Première partie: Le suivi socio-judiciaire (continued). *Actualité Sociales Hebdomadaire*, 2078, 21-26. 815 43
- Fillieule, R., & Montiel, C. (1997). *La pédophilie*. Paris: IHESI, Coll. Etudes et Recherche. 53
- Finkelhor, D., (1994). The international epidemiology of child sexual abuse. *Child Abuse and Neglect*, 18(5), 409-417.
- Finkelhor, D., & Jones, L. M. (2004). *Explanations for the decline in child sexual abuse cases*. Washington DC: U.S. Department of Justice. 820
- Finkelhor, D., & Ormrod, R. (2000). *Kidnapping of juveniles: Patterns from NIBRS*. Washington DC: U.S. Department of Justice.
- Fishman, M. (1978). Crime waves as ideology. *Social Problems*, 25(5), 531-543.
- Fox, J. A. (2002, August 17). Amber Alert's dangers. *The New York Times*. 825 44
- Furedi, F. (1994). A plague of moral panics. *Living Marxism*, 73. 45
- Ginnis Fuchs, R. (1982). Crimes against children in nineteenth-century France, child abuse. *Law and Human Behavior*, 6(3/4), 237-259.
- Glassner, B. (1999). *The culture of fear: Why Americans are afraid of the wrong things*. New York: Basic Books. 830

- Goode, E., & Ben-Yehuda, N. (1994). *Moral panics, the social construction of deviance*. Cambridge, MA: Blackwell.
- Gorey, K. M., & Leslie, D. R. (1997). The prevalence of child sexual abuse: Integrative review adjustment for potential response and measurement biases. *Child Abuse and Neglect*, 21(4), 391-398.
- Greenfeld, L. A. (1997). *Sex offenses and offenders: An analysis of data on rape and sexual assault*. Washington DC: U.S. Bureau of Justice Statistics.
- Hamon, F. (1999). *Délinquance sexuelle et crimes sexuels*. Paris: Masson.
- Harrison, P. M., & Beck, A. J. (2003). *Prisoners in 2002*. Washington DC: U.S. Bureau of Justice Statistics.
- Hathaway, A. D., & Atkinson, M. F. (2001). Tolerable differences revisited: Cross-roads in theory on the social construction of deviance. *Deviant Behavior*, 22(4), 353-377.
- Hilgartner, S., & Bosk, C. L. (1988). The rise and fall of social problems. *American Journal of Sociology*, 94(1), 53-78.
- Horassius, N., & Mazet, P. (Eds.). (2004). *Conséquences des maltraitances sexuelles, reconnaître, soigner, prévenir. Conférence de consensus, 6 et 7 Novembre 2003*. Paris: John Libbey Eurotext, Fédération Française de Psychiatrie.
- Huyvet, M. (1998). Les réponses interdisciplinaires aux violences sexuelles et (pp. 313-317) l'instruction judiciaire. In E. Archer (Ed.), *Agressions sexuelles: Victimes et auteurs*, Paris: L'Harmattan.
- Institut National de la Statistique et des Etudes Economiques. (n.d.). *France in facts and figures*. Retrieved July 20, 2005, from [http://www.insee.fr/en/ffc/pop\\_age3.htm](http://www.insee.fr/en/ffc/pop_age3.htm)
- Inter-University Consortium for Political and Science Research. (n.d.). *National archive of criminal justice data*. Retrieved on January 6, 2006, from <http://www.icpsr.umich.edu/NACJD/das.html>
- Jenkins, P. (1994). *Using murder, the social construction of serial homicide*. New York: Aldine de Gruyter.
- Jenkins, P. (1998). *Moral panic: Changing concepts of the child molester in modern America*. New Haven, CT: Yale University Press.
- Jewkes, Y. (1999). *Moral panics in a risk society: A critical evaluation*. Leicester, UK: Scarman Centre for the Study of Public Order.
- Jones, L. M., & Finkelhor, D. (2001). *The decline in child sexual abuse cases* Juvenile Justice Bulletin, NCJ, 184741). Washington DC: U.S. Department of Justice.
- Kraft-Ebing, R. (1896). *Psychopathia sexualis*. Berlin: MSB Matthes & Seitz.
- Lameyre, X. (2000). *La criminalité sexuelle*. Paris: Flammarion.
- Légifrance, Le Service Public d'Accès au Droit. (2002). *Code de procédure pénale*. Retrieved July 20, 2005, from <http://www.legifrance.gouv.fr/>
- Légifrance, Le Service Public d'Accès au Droit. (2002). *Code de santé publique*. Retrieved July 20, 2005, from <http://www.legifrance.gouv.fr/>
- Légifrance, Le Service Public d'Accès au Droit. (2002). *Code pénal*. Retrieved July 20, 2005, from <http://www.legifrance.gouv.fr/>
- Lieb, R., & Matson, S. (1998). *Sexual predator commitment laws in the United States: 1998 update*. Olympia: Washington State Institute for Public Policy.

835

46

47

840

48

845

850

48

48

855

48

860

865

48

48

870

48

48

875



- Lieb, R., Quinsey, V., & Berliner, L. (1998). Sexual predators and social policy. In M. Tonry (Ed.), *Crime and justice: A review of research* (Vol. 23, pp. 43-114). Chicago: University of Chicago Press.
- Martin, B. F. (1990). *Crime and criminal justice under the Third Republic, the shame of Marianne*. Baton Rouge: Louisiana State University Press. 880
- Matson, S., & Lieb, R. (1997). *Megan's Law: A review of state and federal legislation*. Olympia: Washington State Institute for Public Policy.
- May Chahal, C., & Herczog, M. (Eds.). (2003). *L'Abus sexuel des enfants en Europe*. Strasbourg, France: Editions du Conseil de l'Europe. 48
- McManus, N. (2002, October). Child abductions and the myth of the perfect stranger. *SIRS Government Reporter*. 885 49
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (1995). *Crimes et délits constatés en France en 1995 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance. 890
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (1996). *Crimes et délits constatés en France en 1996 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance.
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (1997). *Crimes et délits constatés en France en 1997 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance. 895
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (1998). *Crimes et délits constatés en France en 1998 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance. 900
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (1999). *Crimes et délits constatés en France en 1999 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance. 905
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (2000). *Crimes et délits constatés en France en 2000 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance. 910
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (2001). *Crimes et délits constatés en France en 2001 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance.
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (2002). *Crimes et délits constatés en France en 2002 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance. 915
- Ministère de l'Intérieur, de la Sécurité Intérieure et des Libertés Locales, Direction Générale de la Police National. (2003). *Crimes et délits constatés en France en 2003 par les services de police et de gendarmerie, chiffres définitifs*. Paris: Direction Centrale de la Police Judiciaire, Service Central d'Etude de la Délinquance. 920

- Ministère de la Justice. (1995). *Annuaire statistique de la justice, édition 1995*. Paris: La Documentation Française. 925
- Ministère de la Justice. (1996). *Annuaire statistique de la justice, édition 1996*. Paris: La Documentation Française.
- Ministère de la Justice. (1997). *Annuaire statistique de la justice, édition 1997*. Paris: La Documentation Française. 930
- Ministère de la Justice. (1998). *Annuaire statistique de la justice, édition 1998*. Paris: La Documentation Française.
- Ministère de la Justice. (1999). *Annuaire statistique de la justice, édition 1999*. Paris: La Documentation Française.
- Ministère de la Justice. (2000). *Annuaire statistique de la justice, édition 2000*. Paris: La Documentation Française. 935
- Ministère de la Justice. (2001). *Annuaire statistique de la justice, édition 2001*. Paris: La Documentation Française.
- Ministère de la Justice. (2002). *Annuaire statistique de la justice, édition 2002*. Paris: La Documentation Française. 940
- Observatoire National de l'Action Sociale Décentralisée (ODAS). (2001). *L'Observation de l'enfance en danger: Guide méthodologique*. Paris: ODAS Editeur.
- Observatoire National de l'Action Sociale Décentralisée (ODAS). (2002). *Evolution des signalements d'enfants en danger en 2001, la lettre de l'ODAS, Novembre 2002*. Retrieved July 20, 2005, from <http://www.odas.net> 50 945
- Observatoire National de l'Action Sociale Décentralisée (ODAS). (2003). *La décentralisation et la protection de l'enfance, quelles réponses pour quel dangers?* Retrieved July 20, 2005, from <http://www.odas.net> 51
- Observatoire National de l'Action Sociale Décentralisée (ODAS). (2004). *Evolution des signalements d'enfants en danger en 2003, la lettre de l'ODAS, Décembre 2004*. Retrieved July 20, 2005, from <http://www.odas.net> 950
- Palermo, G. B., & Farkas, M. A. (2001). *The dilemma of the sexual offender*. Springfield, IL: Charles C. Thomas Publishing.
- Potter, G. W., & Kappeler, V. E. (Eds.). (1998). *Constructing crime: Perspectives on making news and social problems*. Prospect Heights, IL: Waveland Press. 955
- Pratt, J. (2000). Sex crimes and the new punitiveness. *Behavioral Sciences*, 18(2/3), 35-151. 52
- Prentky, R. A. Knight, R. A., & Lee, A. F. S. (1997). *Child sexual molestation: Research issues* (Office of Justice Programs, U.S. Department of Justice, NCJ, 163390). Washington DC: U.S. Department of Justice. 960
- Rousseau, J. (1762). *Emile, ou de l'éducation*. Paris: Flammarion.
- Rudin, J. B. (1996). Megan's Law: Can it stop sexual predators, and at what cost to constitutionality? *Criminal Justice*, 11(3), 2-63.
- Schlink, A. (Ed.). (2001). *The sexual predator: Legal issues, clinical issues, special populations*. Kingston, NJ: Civic Research Institute. 965
- Schlink, A., & Cohen, F. (Eds.). (1999). *The sexual predator: Law, policy, evaluation and treatment*. Kingston, NJ: Civic Research Institute.
- Scott, S. (2001). *The politics and experience of ritual abuse: Beyond belief*. Buckingham, UK: Open University Press.



- SEARCH. (2005). *The national consortium for justice information and statistics*. 970  
Retrieved January 8, 2006, from <http://www.search.org/programs/info/reporting/default.asp> 53
- Service National d'Accueil Téléphonique pour l'Enfance Maltraitée. (2002). *Rapport d'activité 2001*. Retrieved July 20, 2005, from [http://www.allo119.org/adultes/119/snatem\\_rapport\\_activite\\_2001.pdf](http://www.allo119.org/adultes/119/snatem_rapport_activite_2001.pdf) 975
- Service National d'Accueil Téléphonique pour l'Enfance Maltraitée. (2003). *Rapport d'activité 2002*. Retrieved July 20, 2005, from [http://www.allo119.org/adultes/119/snatem\\_rapport\\_activite\\_2002.pdf](http://www.allo119.org/adultes/119/snatem_rapport_activite_2002.pdf) 54
- Songoro, O. (2003). La loi pour la sécurité intérieure (loi n° 2003-239 du 18 mars 2003 et décision du conseil constitutionnel n° 2003-467 DC du 13 mars 2003). *Actualité Sociales Hebdomadaire*, 2303, 15-25. 980
- Spector, M., & Kitsuse, J. I. (1973). Social problems: A re-formulation. *Social Problems*, 21(2), 145-159. 54
- Stolz, B. A. (2002). The roles of interest groups in U.S. criminal justice policy making: who, when, and how. *Criminal Justice: The International Journal of Policy and Practice*, 2(1), 51-69. 54 985
- Surette, R. (1998). *Media, crime, and criminal justice: Images and realities*. Belmont, CA: West/Wadsworth.
- Tardieu, A. (1857). *Etude médico-légale sur les attentats aux mœurs*. Paris: Editions Jérôme Million. 54 990
- Tournier, P. V. (1998). Agressions sexuelles: Du dépôt de plainte à l'exécution des peines. In E. Archer (Ed.), *Agressions sexuelles: Victimes et auteurs* (pp. 27-56). Paris: L'Harmattan.
- Tyrone, Y., & Bourcet, S. (2001). *Séances sur mineurs*. Paris: Ellipses.
- United States Census Bureau. (2005). *United States census 2000 gateway*. Retrieved October 23, 2005, from <http://www.census.gov/main/www/cen2000.html> 995 54
- Victor, J. S. (1994). Fundamentalism religion and the moral crusade against Satanism: The social construction of deviant behavior. *Deviant Behavior*, 15, 305-344.
- Vigarello, G. (1998). *Histoire du viol, XVI-XXème siècles*. Paris: Editions du Seuil.
- Welch, M. (2000). *Flag burning: Moral panic and the criminalization of protest*. 1000  
Hawthorne, NY: Walter de Gruyter.
- Welch, M., Price, E. A., & Yankey, N. (2002). Moral panic over youth violence: Wilding and the manufacture of menace in the media. *Youth and Society*, 34(1), 3-30.
- Winick, B. J., & LaFond, J. Q. (1998). Sex offenders: Scientific, legal, and policy perspectives. *Psychology, Public Policy and Law*, 4(1/2), 3-570. 55 1005
- Young, J. (1971). The role of the police as amplifiers of deviancy, negotiators of reality and translators of fantasy: Some aspects of our present system of drug control as seen in Notting Hill. In St. Cohen (Ed.), *Images of deviance*. Harmondsworth, UK: Penguin Press. 56
- Zgoba, K. (2004). Spin doctors and moral crusaders: The moral panic behind child safety legislation. *Criminal Justice Studies: A Critical Journal of Crime, Law & Society*, 17(4), 385-404. 1010